

The City Council of the City of Mattoon held a regular meeting in the Council Chambers at City Hall on September 4, 2007 at 7:08 p.m. after the 6:30 p.m. caucus session, where the Council discussed pending agenda items and heard complaints from Lane Acres South residents on the boiler slag placed on their streets.

Mayor White presiding.

Mayor White led the Pledge of Allegiance.

The following members of the Council answered roll call in person: Absent Commissioner David Cline, YEA Commissioner Randy Ervin, YEA Commissioner Joseph McKenzie, YEA Commissioner David Schilling, YEA Mayor Charles E. White.

Also in attendance in person were City personnel: City Administrator Alan Gilmore, City Attorney/Treasurer J. Preston Owen, Public Works Director David Wortman, Fire Chief Mike Chism, Community Development Coordinator Kyle Gill, Police Chief Larry Metzelaars, Deputy Chief David Griffith, and City Clerk Susan J. O'Brien.

CONSENT AGENDA

Items listed on the Consent Agenda are considered to be routine in nature and will be enacted by one motion. Prior to asking for a motion to approve the Consent Agenda, the mayor will ask if anyone desires to remove an item from the Consent Agenda for public discussion. No separate discussion of these items will occur unless a Council Member requests the item to be removed from the Consent Agenda. If an item is removed from the Consent Agenda, it will be considered elsewhere on the agenda for this meeting.

Mayor White seconded by Commissioner Schilling moved to approve the consent agenda consisting of: minutes of the regular meeting August 21; 2007 Police department report for the month of July, 2007; and payroll and bills for the last half of August, 2007 and financial reports.

Bills & Payroll for the last half of August

General Fund

Payroll	\$	272,535.94
Bills	\$	<u>56,677.57</u>
Total	\$	329,213.51

Hotel Tax Fund

Payroll	\$	1,842.95
Bills	\$	<u>8,141.44</u>
Total	\$	9,984.39

Festival Management

Bills	\$	<u>4,754.51</u>
Total	\$	4,754.51

Insurance & Tort Judgment

Bills	\$	<u>481.35</u>
Total	\$	481.35

Capital Project Fund

Bills	\$	<u>560,695.96</u>
Total	\$	560,695.96

Water Fund

Payroll	\$	26,719.67
Bills	\$	<u>38,133.11</u>
Total	\$	64,852.78

Sewer Fund

Payroll	\$	26,666.38
Bills	\$	<u>207,580.21</u>
Total	\$	234,246.59

Cemetery Fund

Payroll	\$	4,206.32
Bills	\$	<u>10,934.23</u>
Total	\$	15,140.55

Health Insurance

Bills	\$	<u>55,111.86</u>
Total	\$	55,111.86

Motor Fuel Tax Fund

Bills	\$	<u>70,682.81</u>
Total	\$	70,682.81

Mayor White declared the motion to approve the consent agenda carried by the following vote: Absent Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

PUBLIC PRESENTATIONS, PETITIONS AND COMMUNICATIONS

This portion of the City Council meeting is reserved for persons who desire to address the Council. The Illinois Open Meeting Act mandates that the City Council may NOT take action on comments received on matters that have not been identified on this agenda, but the Council may direct staff to address the topic or refer the matter for action on the agenda for another meeting. Persons addressing the Council are requested to limit their presentations to three minutes and to avoid repetitious comments.

Mayor White made a presentation of a retirement plaque to Police Chief Larry Metzelaars, and thanked him for his 28 plus years of service.

NEW BUSINESS

Mayor White seconded by Commissioner Schilling moved to approve Council Decision Request 2007-786, authorizing the Chief of Police to purchase three 2007 Chevrolet Impala Administrative Sedans from Miles Chevrolet, Inc., Decatur, Illinois for a total of \$58,350.00.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: Absent Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner McKenzie seconded by Commissioner Ervin moved to adopt Resolution 2007-2713, authorizing the additional \$25,000 of MFT funds for the LAPP [Local Agency Pavement Preservation] Project [05-00128-00-RS].

**CITY OF MATTOON
RESOLUTION NO 2007-2713**

ILLINOIS DEPARTMENT
OF TRANSPORTATION

Resolution for Improvement by
Municipality Under the Illinois
Highway Code

BE IT RESOLVED, by the City Council of the City of Mattoon, Illinois that the following described street (s) be improved under the Illinois Highway Code:

Name of Thoroughfare	Route	From	To
Various Locations	N/A	N/A	N/A

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of Resurfacing FAU 7666, FAU 7669, FAU 7686, FAU 7681 Lapp Project and shall be constructed Variable wide and be designated as Section 05-00128-00-RS.
2. That there is hereby appropriated the (Additional X yes no) sum of Twenty-five thousand and 00 cents Dollars (\$25,000.00) for the improvement of said section from the municipality's allotment of Motor Fuel Tax funds.
3. That work shall be done by Contract ; and,

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

I, Susan J. O'Brien Clerk in and for the City of Mattoon County of Coles, hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the City council at a meeting on September 4, 2007.

IN TESTIMONY WHEREOF, I have hereunto set my and seal this 5th day of September, 2007.

/s/ Susan J. O'Brien
City Clerk

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: Absent Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner McKenzie seconded by Commissioner Ervin moved to adopt Resolution 2007-2714, authorizing the additional \$506.32 of MFT funds for the PCC [Portland Cement Concrete] Sidewalk Project [05-00133-00-SW].

**CITY OF MATTOON
RESOLUTION 2007-2714**

**ILLINOIS DEPARTMENT
OF TRANSPORTATION**

**Resolution for Improvement by
Municipality Under the Illinois
Highway Code**

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of PCC sidewalk 5 inch (various locations within the City) and shall be constructed 5 feet wide and be designated as Section 05-00133-00-SW.
2. That there is hereby appropriated the (additional X yes no) sum of Five hundred six dollars and 32 cents Dollars (\$506.32) for the improvement of said section from the municipality's allotment of Motor Fuel Tax Funds.

3. That work shall be done by Contract; and,

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

I, Susan J. O'Brien Clerk in and for the City of Mattoon County of Coles, hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the City Council at a meeting on September 4, 2007. IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 5th day of September, 2007.

/s/ Susan J. O'Brien

Mayor White declared the motion carried by the following vote: Absent Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White stated the two previous resolutions closed-out the projects.

Commissioner McKenzie seconded by Commissioner Schilling moved to approve Council Decision Request 2007-787, authorizing the mayor to sign a contract extending the 2007 MFT Street Maintenance unit prices for oil and chipping from NeCo Asphalt of Charleston in the amount of \$26,853 for oil and chipping in commercial alleys.

Mr. Herb Meeker, Mattoon Journal Gazette, inquired whether the contract was for commercial alleys or to allow for other areas of the city. Director Wortman stated the oil and chip was a planned project for the alleys.

Mayor White declared the motion carried by the following: Absent Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Ervin moved to approve Council Decision Request 2007-788, appointing Captain Jeffrey M. Branson to the position of Deputy Police Chief, effective September 15, 2007.

Mayor White declared the motion carried by the following vote: Absent Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Schilling moved to approve Council Decision Request 2007-789, approving the promotion of Lt. Adam J. Weinstock to the rank of Police Captain, effective September 15, 2007.

Mayor White declared the motion carried by the following vote: Absent Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner McKenzie moved to approve Council Decision Request 2007-790, approving the promotion of Sgt. Gary Kepley to the rank of Police Lieutenant, effective September 15, 2007.

Mayor White declared the motion carried by the following vote: Absent Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner McKenzie moved to approve Council Decision Request 2007-791, accepting the recommendation of the Mid-town Incentive Review Committee for a project requested by Keith Summers for renovation of the building located at 1810 Charleston Avenue with an annual subsidy grant not to exceed \$80,000 with a term of ten years.

Mayor White opened the floor for discussion. Mr. Meeker apologized for the confusion on the newspaper article.

Mayor White declared the motion carried by the following vote: Absent Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Schilling moved to adopt Special Ordinance 2007-1243, approving the Walton Subdivision plat located at 101 Dettro Drive, City of Mattoon, Coles County, Illinois. Walmart – Petitioner.

CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2007-1243

AN ORDINANCE APPROVING THE SUBDIVISION PLAT OF WALTON SUBDIVISION IN THE CITY OF MATTOON, COLES COUNTY, ILLINIOS.

WHEREAS, a request to approve the subdivision plat of Walton Subdivision has been present to the City of Mattoon, on behalf of the owner of said real estate;

WHEREAS, the owner of the real estate believes it would be beneficial to the public, for the subdivision plat to be approved and recorded;

WHEREAS, the plat is subdividing a lot into two lots and requires an easement for access for the new lot.

WHEREAS, the Planning Commission of the City of Mattoon, Coles County, Illinois, has recommended that said final plat be approved at the August 27, 2007 meeting.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. Pursuant to enabling authority provided at Section §159.05 of the Mattoon Code of Ordinances, the Plat of Walton Subdivision be approved.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Section 4. The City Clerk shall make and file a duly certified copy of this ordinance with the Clerk and Recorder's Office of Coles County, Illinois.

Upon motion by Mayor White, seconded by Commissioner Schilling, adopted this 4th day of September, 2007, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner McKenzie,
 Commissioner Schilling, Mayor White

NAYS (Names): None

ABSENT (Names): Commissioner Cline

Approved this 4th day of September, 2007.

/s/ Charles E. White

Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien

Susan J. O'Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on September 5 , 2007.

Mayor White declared the motion carried by the following vote: Absent Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Ervin seconded by Commissioner McKenzie moved to adopt Ordinance 2007-5237, approving a lease purchase agreement with the First Mid-Illinois Bank & Trust to finance \$756,000 over a term of five years to acquire vehicles and equipment for the Public Works and Police Department. [*Vector trucks, endloaders, pickups, unmarked police cars, and ambulance*]

CITY OF MATTOON, ILLINOIS

ORDINANCE NO. 2007-5237

AN ORDINANCE APPROVING A LEASE PURCHASE AGREEMENT WITH THE FIRST MID-ILLINOIS BANK & TRUST TO FINANCE \$150,000 OVER A TERM OF FIVE YEARS TO ACQUIRE VEHICLES AND EQUIPMENT

WHEREAS, the City of Mattoon has a need to acquire various equipment and vehicles and the equipment and vehicles may be acquired at a cost of approximately \$840,000 pursuant to prices established by competitive bid or the state joint purchasing agreements; and,

WHEREAS, the equipment and vehicles consists of One (1) Sewer Vector Truck at \$235,000, One (1) Sewer Camera Truck at \$130,000, One Front End Loader at \$118,000, Two (2) Dump Trucks and Two (2) Pick-up Trucks at \$170,000, One (1) Ambulance at \$120,000 and Three (3) 2007 Chevy Impala model at \$58,350; and,

WHEREAS, First Mid-Illinois Bank & Trust has offered the lowest interest rate to finance the equipment and vehicles pursuant to a competitive request for proposals solicited and received by the deadline established for receiving proposals; and

WHEREAS, the City Council deems that it is in the best interest of the City that a sum not too exceed \$756,000 be financed over a term of five years to provide the funds to purchase the equipment and vehicles.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The Mayor and City Clerk are authorized to sign a "Lease / Purchase Agreement" and any other necessary documents with First Mid-Illinois Bank & Trust, the form of which is attached and incorporated by reference and to do all other things necessary to give effect thereto.

Section 2. This ordinance shall be effective upon its passage and approval as provided by law.

Upon motion by Commissioner Ervin, seconded by Commissioner McKenzie, adopted this 4th day of September, 2007, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner McKenzie,
Commissioner Schilling, Mayor White

NAYS (Names): None

ABSENT (Names): Commissioner Cline

Approved this 4th day of September, 2007.

/s/ Charles E. White

Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on September 5, 2007.

Attorney/Treasurer Owen stated the agreement included the Fire Department ambulance, also.

Mayor White declared the motion carried by the following vote: Absent Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner McKenzie moved to adopt Special Ordinance 2007-1244, ratifying the employment agreement of David L. Griffith for the position of Police Chief.

**CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO 2007-1244**

**AN ORDINANCE RATIFYING THE EMPLOYMENT AGREEMENT OF
DAVID L. GRIFFITH FOR THE POSITION OF POLICE CHIEF**

BE IT ORDAINED by the City Council of the City of Mattoon as follows:

Section 1. The City council hereby approves an Employment Agreement with David L. Griffith for the position of Police Chief, a copy of which is attached hereto and incorporated herein by reference

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Mayor White, seconded by Commissioner McKenzie, adopted this 4th day of September, 2007, by a roll call vote, as follows:

AYES: Commissioner Ervin, Commissioner McKenzie,
Commissioner Schilling, Mayor White

NAYS None

ABSENT Commissioner Cline

Approved this 4th day of September, 2007.

/s/ Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on September 5, 2007.

Mayor White declared the motion carried by the following vote: Absent Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Ervin moved to adjourned at 7:21 p.m.

Mayor White declared the motion carried by the following vote: Absent Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

/s/ Susan J. O'Brien
City Clerk